IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5683 OF 2005

Shri Ram Thakurdas Hingorani & Ors ...Applicants

Versus

The State of Maharashtra & Anr ...Respondents

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Mr. Sudeep Pasbola, Advocate for Applicants

Mr. B.H.Mehta, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 13TH SEPTEMBER, 2005

P. C.:-

1. Leave to amend. Amendment to be carried forthwith.

2. Heard the learned advocate for the applicants i.e. original accused and the learned A.P.P. for the State. Mr. Navneet Lahoo Dhoke, authorized signatory of the complainant is present in person.

3. The applicant is praying for quashing of C.C. No. 1139/P/2003 which is pending before the learned M.M. 12th Court, Bandra, Mumbai now transferred to the learned M.M. 9th Court, bandra Mumbai and numbered as C.C. No. 1149/PS/2005. The said case is under Section 51, 63 and 69 of Indian Copy Rights

Act, 1957 and under Sections 16 and 17 of the Indian Cable and Television Act, 1995.

4. Mr. Navneet Dhoke, an authorized signatory of the complainant company has stated the parties have amicably settled the dispute among themselves and his company has no objection to quash the aforesaid complaint which has been lodged against the applicants. It is further stated that the company has no intention to continue the prosecution in respect of the applicants. He has further stated that he has also communicated to the Senior Police Inspector of Bandra police station where the complaint i.e. L.A.C. No. 17 of 2002 was registered that they have amicably settled the dispute. An affidavit has also been filed by the complainant to the above effect.

5. Looking to the fact that the complainant does not wish to pursue the prosecution in respect of the applicants, in my view, no purpose would be achieved by continuing with the prosecution relating to the said case. Hence, the C.C. No.1149/PS/2005 pending before the learned M.M. 9th Court, Bandra, Mumbai and the proceedings relating thereto are quashed.

6. Application is disposed of.

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